

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Trygve Burchardt
Title: PRODUCTION OF GAS DIFFUSION ELECTRODES
Appl. No.: 10/563,290
International Filing Date: July 2, 2004
371(c) Date: May 9, 2006
Examiner: Buchanan, Jacob
Art Unit: 1795
Confirmation Number: 4301

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on August 21, 2009, which set a three-month period for response.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

A grantable petition under 37 C.F.R. § 1.137(b) requires the following items:

- (1) The reply required to the outstanding Office Action or notice, unless previously filed;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional; and
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(d).

In accordance with 37 C.F.R. § 1.137(b), Applicant provides the following:

(1) Required reply and/or fee.

The required fee and a response to the above-noted Office Action is provided herewith.

(2) Petition fee (37 C.F.R. § 1.17(m))

Fees in the amount of \$810.00 set forth in 37 C.F.R. § 1.17(m) for a small entity to cover the fee for this petition are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

(3) Statement that the abandonment was unintentional.

Applicant hereby states that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition, was unintentional.

(4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this utility application was not filed before June 8, 1995.

Respectfully submitted,

Date: April 13, 2010

By: /Marcus W. Sprow/

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (313) 234-7150
Facsimile: (313) 234-2800

Marcus W. Sprow
Attorney for Applicant
Registration No. 48,580